

Nationwide Health Information Network

NHIN Coordinating Committee

| SUBJECT: NHIN CHANGE PROCESS – OPERATING POLICIES AND PROCEDURES | | |
|---|-----------------------------|--------------------|
| STATUS: APPROVED by NHINCC and Participants | POLICY #: NHIN-CC: 5 | |
| Date Approved: 7/15/2010 | Version: 2.0 | Page 1 of 3 |

I. Purpose

The NHIN Coordinating Committee has responsibility for developing, maintaining, repealing, amending and retaining NHIN Operating Policies and Procedures (NHINCC OP&P) for the NHIN Exchange. The purpose of this policy is to set forth the procedure by which the NHIN Coordinating Committee will fulfill these responsibilities.

II. Policy

The NHIN Coordinating Committee shall establish and maintain reasonable NHINCC OP&Ps. NHINCC OP&Ps are those documents that describe the management, operation, and participation in the NHIN Exchange. As may become necessary for the proper functioning of the NHIN Exchange, the NHIN Coordinating Committee may establish a new NHINCC OP&P, or it may amend, repeal, and/or replace any existing, NHINCC OP&P consistent with Section 12.03 of the DURSA. Any such action by the Coordinating Committee shall be done consistent with this policy and Section 12.03 of the DURSA.

III. Procedure:

A. Retention, Maintenance and Dissemination of NHIN Operating Policies and Procedures

All NHINCC OP&Ps shall be maintained in an electronic form that can be accessed and printed if desired. The NHIN Coordinating Committee requests that ONC maintain the NHINCC OP&Ps in a location that is accessible to all Participants, Members of the NHIN Coordinating Committee, Members of the NHIN Technical Committee, and any other stakeholders that the NHIN Coordinating Committee determines require access.

All current NHINCC OP&Ps as well as originals of all amended, repealed and replaced NHINCC OP&Ps shall be maintained for the duration of their usefulness as determined by the NHIN Coordinating Committee.

B. Submission of Proposed New, Amended, Repealed, or Replaced Operating Policies and Procedures

Any Participant may submit in writing to the NHIN Coordinating Committee a request for the development of a new NHINCC OP&P, or a request for the amendment or repeal of an existing NHINCC OP&P. Any Member of the NHIN Coordinating Committee may also bring forth any concern or question regarding NHINCC OP&Ps. All such requests shall identify (i) the NHINCC OP&P that is the subject of the requested change (if any), (ii) the type of NHINCC OP&P sought (if it is a development request), (iii) a thorough description of why the request is necessary, and (iv) an analysis of the expected impact of adopting the new NHINCC OP&P or modifying/repealing an existing NHINCC OP&P.

C. Consideration of Proposed New, Amended, Repealed, or Replaced Operating Policies and Procedures

The NHIN Coordinating Committee will consider any requests that meet the submission criteria set forth above at its next regularly scheduled meeting following receipt of such request. If, after considering the request, the NHIN Coordinating Committee determines that the request does not have merit or lacks sufficient detail, it will communicate this determination to the requestor.

If after considering the request, the NHIN Coordinating Committee determines that the request has merit, it will forward the request to a task group designated by the NHIN Coordinating Committee to review the request and make a recommendation for action to the NHIN Coordinating Committee..

Nationwide Health Information Network

NHIN Coordinating Committee

| SUBJECT: NHIN CHANGE PROCESS – OPERATING POLICIES AND PROCEDURES | | |
|---|-----------------------------|--------------------|
| STATUS: APPROVED by NHINCC and Participants | POLICY #: NHIN-CC: 5 | |
| Date Approved: 7/15/2010 | Version: 2.0 | Page 2 of 3 |

Even after the NHIN Coordinating Committee determines that the request has merit and refers it to a task group, the task group may recommend that the requested change should not be made based upon specific reasons that the task group must identify. If the task group's recommendation is that no action on the NHINCC OP&Ps should be taken, it shall communicate this to the NHIN Coordinating Committee. If the NHIN Coordinating Committee approves such a recommendation, the NHIN Coordinating Committee will inform the requestor of its determination. If the NHIN Coordinating Committee does not approve this recommendation, it shall instruct the task group to proceed with drafting the necessary modifications.

If the task group's recommendation is that an action should be taken to change the NHINCC OP&Ps and the NHIN Coordinating Committee approves such a recommendation, the NHIN Coordinating Committee will identify the timeframe to seek Participant approval of the recommended change.

When the NHIN Coordinating Committee informs the Participants of its recommendations for action on the NHINCC OP&Ps and seeks Participant approval for such action, the NHIN Coordinating Committee shall provide the following information to all Participants:

- a copy of the new, amended, repealed or replaced NHINCC OP&P;
- a thorough description as to the reasons for the implementation of the new NHINCC OP&P or amendment, repeal or replacement of an existing NHINCC OP&P and any foreseeable impact of the change;
- a projected effective date for the proposed changes; and
- the date by which each Participant must submit its approval or rejection of the proposed change through a written communication to the NHIN Coordinating Committee.

To the extent that all Participants are represented on the NHIN Coordinating Committee, the obligation to inform all Participants of the change may be satisfied through discussion of the change at a meeting on the NHIN Coordinating Committee.

D. Approval or Rejection of Proposed Changes to the NHINCC OP&P

Changes to the NHINCC OP&P must be approved by the Participants in accordance with Section 12.03 of the DURSA. The requirements of that section are explained below.

At least two-thirds of the non-governmental Participants and at least two-thirds of the Governmental Participants must approve the change in order for it to become effective. Participants will submit their approval or rejection of a proposed change to the NHIN Coordinating Committee in writing by the date identified by the NHIN Coordinating Committee in its notice to Participants recommending a change to the NHINCC OP&P. If a Participant rejects a proposed change, the Participant must provide a rationale for such rejection.

When calculating the number of Participants that have approved a change to the NHINCC OP&P, the NHIN Coordinating Committee will count the number of Participants that have submitted written notice of approval as of the date provided by the NHIN Coordinating Committee in its notice to Participants recommending a change to the NHINCC OP&P.

Nationwide Health Information Network NHIN Coordinating Committee

| SUBJECT: NHIN CHANGE PROCESS – OPERATING POLICIES AND PROCEDURES | | |
|---|-----------------------------|--------------------|
| STATUS: APPROVED by NHINCC and Participants | POLICY #: NHIN-CC: 5 | |
| Date Approved: 7/15/2010 | Version: 2.0 | Page 3 of 3 |

If at least two-thirds of the non-governmental Participants and at least two-thirds of the Governmental Participants do not approve a change, the change is rejected and does not take effect. If the requisite number of Participants do approve a change, the NHIN Coordinating Committee will establish an effective date for the change and will provide all Participants with notice of the approval of a proposed change at least 30 days prior to the effective date of the change. Within 15 days of receiving notice of the change, a Participant may request that the NHIN Coordinating Committee delay the effective date of the change based on unforeseen complications or other good cause. The NHIN Coordinating Committee will meet to evaluate such request and respond to the request within 7 days.

Once a change takes effect, all Participants must comply with the changed NHINCC OP&P.

IV Definitions:

DURSA: Data Use and Reciprocal Support Agreement

All other capitalized terms, if not defined herein, shall have the same meaning as set forth in the DURSA.

VI References:

DURSA

VII Related Policies and Procedures:

VIII Version History:

| | Date | Author | Comment |
|---|-------------|-------------------------------|---|
| 1 | 6/20/09 | Randall E. Sermons | Original. |
| 2 | 6/23/09 | Randall E. Sermons | Per discussions with Mariann Yeager, Steve Gravely and Erin Whaley; Delete provisions regarding the appointment of authors of policies. Delete references to the Operating Procedures. Renumber provisions. Make information collection activities more informal. |
| 3 | 11/20/09 | Steve Gravely and Erin Whaley | Revisions for Policy Team call on 11/24/09 |
| 4 | 12/23/09 | Erin Whaley and Steve Gravely | Modified heading to reflect approval during 12/17/09 CC call. |
| 5 | 5/17/10 | OP&P Task Group | Modified to be more consistent with NHINCC OP&P 8 (the DURSA Amendment process) |
| 6 | 5/20/10 | Vernette Roberts | Modified heading to reflect approval during 5/20/10 CC call. |